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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

SARABJIT KAUR THIND,

Plaintiff,

v.

EMILIO T. GONZALES, Director, United States
 Citizenship and Immigration Services,

Defendant.

Case No. 07-3959-MJJ

**STIPULATION TO WITHDRAW
 MOTION FOR PRELIMINARY
 INJUNCTION; TO VACATE
 HEARING ON MOTION FOR
 PRELIMINARY INJUNCTION;
 TO CONTINUE CASE
 MANAGEMENT CONFERENCE;
 AND [PROPOSED] ORDER**

Plaintiff, by and through his attorney of record, and defendant, by and through his attorney of record, hereby stipulate, subject to approval of the Court, to the following:

1. Plaintiff filed this action on or about August 1, 2007, asking this Court to direct the United States Citizenship and Immigration Services (USCIS) to adjudicate an I-730 petition.

2. The plaintiff filed a motion for a preliminary injunction on August 7, 2007, which was originally set for hearing on October 2, 2007.

3. On September 20, 2007, this Court signed the parties' stipulation to continue the hearing date on the plaintiff's motion for preliminary injunction and the case management conference to November 13, 2007.

4. On October 5, 2007, the USICS issued a notice of intent to deny the I-730 petition, and the plaintiff has filed a response to that notice.

1 5. In light of the fact that this case may soon be moot, the plaintiff withdraws his motion
2 for preliminary injunction and the parties ask this Court to vacate the hearing on the motion for
3 preliminary injunction, currently scheduled for November 13, 2007.

4 6. Moreover, the parties respectfully ask this Court to continue the case management
5 conference, currently scheduled for November 13, 2007, to January 15, 2007.

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7 Date: October 23, 2007

Respectfully submitted,

8 SCOTT N. SCHOOLS
9 United States Attorney

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11 /s/
12 EDWARD A. OLSEN
13 Assistant United States Attorney
14 Attorneys for Defendant

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16 Date: October 23, 2007

17 /s/
18 JONATHAN KAUFMAN
19 Attorney for Plaintiff

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ORDER

Pursuant to stipulation, IT IS SO ORDERED.

29 Date:

MARTIN J. JENKINS
United States District Judge